

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of )

ALFONS KRUG )

Application No. )

Filed: May 17, 2001 )

Attention: )

International Application )

No. PCT/EP99/08864 )

Primary Examiner )

Filed: November 18, 1999 )

Docket No. CPB-MUL-8 )

For: DEVICE FOR NON-INVASIVELY )

DETECTING THE OXYGEN )

METABOLISM IN TISSUES )

Honorable Commissioner of

Patents and Trademarks

Washington, D. C. 20231

Dear Sir:

PRELIMINARY AMENDMENT

Prior to examination of this application, please enter the following amendments in the English translation.

IN THE CLAIMS:

Cancel Claims 1-20 and substitute new Claims 21-36 as follows:

21. An apparatus for ascertaining the local oxygen turnover and/or the oxygen consumption and/or the O<sub>2</sub> transport capacity and/or the transported O<sub>2</sub> amount and/or the oxygen consumption rate and/or the oxygen turnover rate and/or the oxygen turnover rate and/or data derived from the content of tissue pigments, ascertained from the primary signals of the local hemoglobin concentration and/or the content of tissue pigments and/or the local oxygen saturation and/or the arterial oxygen saturation and/or the blood flow rate and/or the transported amount of blood and/or the tissue temperature with an optical sensor (S) for